

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

SEBASTIAN ALDRICH GOMEZ, by and
through his parents, Laura Gómez
and Santiago Aldrich,

Civil No. 08-1545 (JAF)

Plaintiffs,

v.

COMMONWEALTH OF PUERTO RICO;
DEPARTMENT OF EDUCATION,
through its Secretary, Hon.
Rafael Aragunde,

Defendants.

O R D E R

At the preliminary injunction hearing held on May 21, 2008, Plaintiffs informed the court as to their request for injunctive relief: Defendants' failure to provide Plaintiff a home-bound teacher as required by federal law. Attorney Wandymar Burgos-Vargas appeared on behalf of the Defendants. The court suggested alternatives and the parties were asked to appear again on May 22, 2008, at 2:00 P.M.

After hearing both parties again, Defendant Department of Education agreed to provide Plaintiff a home-bound teacher with knowledge in sign language by May 23, 2008, for the extended summer-school period ending on July 30, 2008. Defendants will file with the court, **on or before July 5, 2008**, a written confirmation identifying the qualified home-bound school teacher assigned to Plaintiff for the school year 2008-2009. This assigned teacher must have a

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1 permanent position with the Department of education and his or her
2 services must be provided to Plaintiff uninterruptedly.

3 This court will retain jurisdiction until Defendants comply
4 with this Order and to make sure of Defendants' strict compliance
5 with the terms of the same. Failure by the Department of Education
6 to provide the uninterrupted services of a qualified home-bound
7 school teacher to the Plaintiff will carry severe sanctions.
8 Plaintiffs are **ORDERED** to immediately notify the court of any
9 violation to the terms of this Order.

10 This Order is entered in the nature of a preliminary
11 injunction, the court retaining jurisdiction to enforce the
12 stipulation contained herein.

13 **IT IS SO ORDERED.**

14 San Juan, Puerto Rico, this 23rd day of May, 2008.

15 S/José Antonio Fusté
16 JOSE ANTONIO FUSTE
17 Chief U. S. District Judge